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| 09/785,967      | 02/16/2001  | Eugene Lapidous      | 5383.P001           | 1775             |

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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/785,967

**Applicant(s)**

LAPIDOUS, EUGENE

**Examiner**

Ashok B. Patel

**Art Unit**

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

**DETAILED ACTION**

1. Application Number 09/785, 967 was filed on 02/16/2001. Claims 1-29 are subject to examination.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Tso et al.  
(hereinafter Tso)(US 6, 421, 733)

**Referring to claim 1,**

The reference Tso teaches method for retrieving documents in a computer network  
(Abstract, lines 1-4), the method comprising:

receiving an indication of a document selection performed by a user, the document selection identifying a desired file reference contained within a document displayed to the user; (Fig.4, element 40, Fig.3, elements 12 and 32)

in response to receiving the indication of the document selection, displaying to the user a list of one or more selectable data exchange modes; determining a data exchange mode selected by the user for the desired file reference; and ensuring that a

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request to retrieve data associated with the desired file reference from a server is in accordance with the selected data exchange mode. (Fig.4, col. 11, lines 4-28, Fig. 3, col. 3, lines 8-54).

**Referring to claim 2,**

The reference Tso teaches the method of claim 1 wherein said ensuring further comprises:

modifying one or more configuration parameters of an Internet browser in accordance with the selected data exchange mode; and (Fig.4, element 40, col.4, lines 29-32)

restoring the one or more configuration parameters of the Internet browser upon processing the request for data associated with the desired file reference. (col.4, lines 29-32, Fig.4, element 40, "default (auto)).

**Referring to claim 3,**

The reference Tso teaches the method of claim 1 wherein said ensuring further comprises: modifying the request issued by an Internet browser in accordance with the data exchange mode selected by the user. (col. 6, lines 64-66).

**Referring to claims 4 and 5,**

The reference Tso teaches the method of claim 1 further comprising: in response to receiving the indication of the document selection, associating a previously identified preferred data exchange mode with the desired file reference unless detecting that the user has performed an action sequence indicating a user selection of a data exchange mode other than the previously identified preferred data exchange mode. 5. (col.7, lines

7-14) and the method of claim 4 wherein the action sequence indicating the user selection of the data exchange mode other than the preferred data exchange mode includes a user interaction with any one of a cursor control device and a keyboard key. (Fig.4, element 42, col.11, lines 29-37).

**Referring to claim 6,**

The reference Tso teaches the method of claim 1 wherein the user selection of the data exchange mode affects only the data associated with the desired file reference. (col. 6, lines 66 to col. 7, line 3).

**Referring to claims 7 and 18,**

The reference Tso teaches the method of claim 1 wherein the selected data exchange mode affects any one of the amount of user-specific information sent with the request, the amount of data sent by the server in response to the request, and the format of data sent by the server in response to the request. (col. 7, lines 15-67 and col. 8, lines 1-9).

**Referring to claim 8,**

The reference Tso teaches the method of claim 1 wherein the server is a network server storing the data associated with the desired file reference. (Fig. 1, element 10, col. 3, lines 3-7)

**Referring to claims 9 and 10,**

The reference Tso teaches method of claim 1 wherein: the server is a proxy that communicates with a network server storing the data associated with the desired file reference; and said ensuring further comprises the proxy modifying the request for data when required by the selected data exchange mode, and the proxy modifying data

received from the network server when required by the selected data exchange mode. (col.3, lines 17-30) and the method of claim 9 wherein the request for data sent to the proxy contains an identifier of the selected data exchange mode. (col.3, lines 17-30 and col. 7, lines 15-67 and col. 8, lines 1-9)

**Referring to claims 11 and 12,**

The reference Tso teaches the method of claim 1 wherein said ensuring further comprises:

    sending a request to retrieve data associated with the desired file reference to a first server, the request conforming to the selected data exchange mode; (col.3, lines 18-21)

    receiving a response from the first server, the response indicating a new location of the data associated with the desired file reference; and automatically issuing a second request to a second server using the new location, the second request conforming to the selected data exchange mode.(col. 3, lines 21-30, (distributed system of computers), col. 9, lines 29, 33) and the method of claim 1 wherein: data associated with the desired file reference is stored on a plurality of servers; and said ensuring further comprises sending a request to each of the plurality of servers, the request conforming to the selected data exchange mode. (col. 12, lines 17-32).

**Referring to claim 13,**

The reference Tso teaches the method of claim 1 wherein said ensuring further comprises:

including an identifier of the selected data exchange mode; and sending the request with the identifier of the selected data exchange mode to a first proxy. (col. 7, lines 15-67 and col. 8, lines 1-9, Fig. 5, element 48, col. 13, lines 36-39).

**Referring to claim 14,**

The reference Tso teaches the method of claim 13 further comprising: the first proxy selecting a second proxy as a recipient of the request based on the identifier of the selected data exchange mode and a predefined set of operations performed by the second proxy. (col. 13, lines 39-54).

**Referring to claims 15 and 16,**

The reference Tso teaches the method of claim 13 further comprising: the first proxy taking responsibility for performing a first portion of operations required by the selected data exchange mode; and the first proxy selecting a second proxy for performing a second portion of operations required by the selected data exchange mode and the method of claim 15 further comprising: the first proxy updating the identifier of the data exchange mode with an identifier value associated with the second portion of operations; and the first proxy sending the request with the updated identifier value to the second proxy. (Fig.5, elements 48 and 36, col. 14, lines 23-32, col. 7, lines 15-67 and col. 8, lines 1-9, Fig. 5, element 48, col. 13, lines 36-39).

**Referring to claim 17,**

The reference Tso teaches a method for retrieving documents in a computer network (Abstract, lines 1-4), the method comprising:

receiving an indication of a data exchange mode chosen by a user for a desired file reference; (Fig.3, elements 12 and 32, col.3, lines 8-17)

determining, based on the data exchange mode, whether data associated with the desired file reference should be retrieved directly from a destination network server storing the data; and (Fig.5, col. 13, lines 36-46)

when the data should not be retrieved directly from the destination server, directing a request for data to a proxy for a modification in accordance with the data exchange mode. (Fig.5, col. 13, lines 46-54, col. 15, lines 29-49).

**Referring to claim 19,**

The reference Tso teaches the method of claim 17 wherein the data should not be retrieved directly from the destination server if the data exchange mode requires modifying either the request for data or the data retrieved from the destination server. (Fig.5, col. 13, lines 46-54, col.3, lines 14-18, "parser 22 is responsible for selectively invoking one or more of transcode service providers 24 based upon a predetermined selection criterion.")

**Referring to claim 20,**

The reference Tso teaches the method of claim 17 further comprising: the proxy sending the request to the destination network server, the request conforming to the data exchange mode; the proxy receiving the data associated with the desired file reference from the destination computer; and the proxy modifying the data when required by the data exchange mode. (Fig. 3, col.3, lines 31-44).

**Referring to claims 21, 22 and 23,**



The reference Tso teaches the method of claim 17 wherein directing the request for data to the proxy further comprises: identifying one of a plurality of proxies as a recipient of the request; and sending the request to said one of the plurality of proxies and the method of claim 21 wherein: at least one of the plurality of proxies performs a predefined set of operations; and said identifying is based on the predefined set of operations and the data exchange mode and, the method of claim 17 further comprising: adding additional information to the request sent to at least one of the plurality of proxies, the additional information including an identifier of the data exchange mode. (col. 15, lines 66 and col. 16, lines 1-14).

**Referring to claim 24,**

The reference Tso teaches a system for retrieving documents in a computer network (Abstract, lines 1-4), the system comprising:

a data exchange mode identifier to receive an indication of a document selection performed by a user, the document selection identifying a desired file reference contained within a document displayed to the user, and to determine a data exchange mode selected by the user for the desired file reference; and a request modifier to ensure that a request to retrieve data associated with the desired file reference from a server is in accordance with the selected data exchange mode. . (Fig.4, element 40, Fig.3, elements 12 and 32, col. 11, lines 4-28, Fig. 3, col. 3, lines 8-54).

**Referring to claims 25 and 27,**

The reference Tso teaches the system of claim 24 wherein determination of the data exchange mode remains valid only for the data associated with the desired file

reference, and is updated after receiving indication of the next document selection by the user. (col.4, lines 29-32, Fig.4, element 40, "default (auto)).

**Referring to claim 26,**

The reference Tso teaches a system for retrieving documents in a computer network, the system comprising:

a data exchange mode identifier to receive an indication of a data exchange mode chosen by a user for a desired file reference; and (Fig. 4, element 40)

a destination coordinator to determine, based on the data exchange mode, whether data associated with the desired file reference should be retrieved directly from a destination network server storing the data, and to direct a request for data to a proxy when the data should not be retrieved directly from the destination server. (Fig.5, elements 48 and 36, col. 13, lines 36-54).

**Referring to claim 28,**

Claim 28 is a claim to computer readable medium that provides instructions, which when executed on a processor, cause said processor to perform operations of the method steps of claim 1. Therefore, claim 28 is rejected for the reasons set forth for the claim 1.

**Referring to claim 29,**

Claim 29 is a claim to computer readable medium that provides instructions, which when executed on a processor, cause said processor to perform operations of the method steps of claim 17. Therefore, claim 29 is rejected for the reasons set forth for the claim 17.

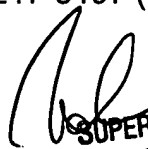
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
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